



**STATE BOARD OF EDUCATION  
TRUSTEES OF BOISE STATE UNIVERSITY  
TRUSTEES OF IDAHO STATE UNIVERSITY  
TRUSTEES OF LEWIS-CLARK STATE COLLEGE  
BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO  
STATE BOARD FOR PROFESSIONAL-TECHNICAL EDUCATION  
TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND**

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**APPROVED MINUTES  
STATE BOARD OF EDUCATION  
October 9-10, 2008  
Lewis-Clark State College  
Williams Conference Center  
Lewiston, Idaho**

A regular meeting of the State Board of Education was held October 9-10, 2008 in Lewiston, Idaho.

**Present:**

Milford Terrell, President	Paul Agidius, Vice President
Sue Thilo, Secretary	Blake Hall
Richard Westerberg	Tom Luna, State Superintendent
Kenneth Edmunds	Rod Lewis (joined the regular meeting by phone)

The Board met at 5:00 p.m. on Wednesday, October 8, 2008 at the Red Lion Inn in Lewiston, Idaho for Executive Session. A roll call of members was taken. State Superintendent Luna arrived at 5:10 p.m. and Board member Lewis was absent.

**EXECUTIVE SESSION**

**M/S (Agidius/Hall): To move into Executive Session pursuant to Idaho Code on Wednesday, October 8, 2008 at 5:00 p.m. to discuss the following:**

- 1. A motion to hold an executive session pursuant to Idaho Code Sections 67-2345(d) and (f) by the University of Idaho for the purpose personnel records exempt from public disclosure.**
- 2. A motion to hold an executive session pursuant to Idaho Code Sections 67-2345(d) and (f) by the University of Idaho for the purpose of considering evaluation, dismissal or disciplining of, a public employee and personnel records exempt from public disclosure.**
- 3. A motion to hold an executive session pursuant to Idaho Code Sections 67-2345(d) and (f) by the University of Idaho for the purpose of considering evaluation, dismissal or disciplining of, a public employee and personnel records exempt from public disclosure.**
- 4. A motion to hold an executive session pursuant to Idaho Code Section 67-2345 (f) by the University of Idaho to consider and advise the Boards' legal representatives in a matter of litigation.**

5. **A motion to hold an executive session pursuant to Idaho Code Section 67-2345(c) for the purpose of conducting deliberations regarding acquisition by Lewis-Clark State College of an interest in real property that is currently owned by private parties.**

During Executive Session, the Board discussed and considered: as Regents of the University of Idaho, issues related to four separate litigation matters; and, as Trustees of Lewis-Clark State College, the potential acquisition by Lewis-Clark State College of an interest in real property that is currently owned by private parties.

**M/S (Hall/Agidius): To adjourn.** Motion carried unanimously.

## **BOARDWORK**

The Board convened at 8:15 on October 9, 2008 for the regular business meeting. Board President Terrell presided.

### 1. Agenda Review and Approval

**M/S (Agidius/Edmunds): To approve the agenda as amended.** Motion carried unanimously.

Changes to the regular agenda included: moving the Open Forum to a time certain of 12:45 p.m. and considering Tab 5 of the Instruction, Research and Student Affairs Agenda immediately afterwards; pulling Tabs 10 and 13 of Section II of the Business Affairs and Human Resources agenda; and, pulling Tab 2 of the Department of Education agenda.

### 2. Minutes Review and Approval

**M/S (Thilo/Agidius): To approve the minutes from the August 21-22, 2008 Board meeting as corrected.** Motion carried unanimously.

Board member Edmunds requested that the sentence referring to his understanding of the process related to budget requests that appeared under item 1.a., of the BAHHR Section II portion of the August 21-22 Board minutes be stricken. It was so noted by the Board staff.

In addition, State Superintendent Luna requested the second paragraph under Tab 9 of the Department of Education portion of the minutes related to the State Longitudinal Data System, read 2.5 million and not 2 million. It was so noted by the Board staff

### 3. Rolling Calendar

**M/S (Thilo/Westerberg): To approve October 15-16, 2009 as the date and Lewis-Clark State College as the location for the October 2009 regularly scheduled Board meeting.** Motion carried unanimously.

At this time, Executive Director Rush introduced Dr. Dale Bower, the new Academic Affairs Officer for the Office of the State Board of Education. The Board members welcomed her.

#### 4. Presentations/Awards

Board President Terrell thanked Lewis-Clark State College for hosting the meeting. He commended Dr. Dene Thomas for the successes the College experienced this past year.

At this time Board Vice President Agidius introduced the recipients of the Distinguished School and Additional Yearly Progress Awards. Three schools qualified for the Distinguished School award: Trail Wind Elementary of Boise, Idaho, Webster Elementary of Lewiston, Idaho, and Mount Hall of Bonners Ferry. It was also noted that the Additional Yearly Progress Award went to fifteen schools; Trail Wind Elementary of Boise, Betty Kiefer Elementary of Lakeland, Marsh Valley High School of Arimo, Webster Elementary of Lewiston, Pioneer Elementary of Meridian, Kootenai Jr/Sr High of Harrison, Filer High School of Filer, Ririe Elementary of Ririe, Mackay Jr/Sr High of Mackay, Lincoln Elementary in Rexburg, Malad High School in Malad, Council Jr/Sr High in Council and Dietrich School District in Dietrich.

#### **UNFINISHED BUSINESS**

Dr. Art Vailas distributed follow-up information to the Board related to the energy issue that was discussed at the August 20-22, 2008 Board meeting.

#### **PERFORMANCE MEASURE PRESENTATION**

Executive Director Rush explained the planning calendar timelines recently adopted by the Board and noted that the performance measure presentation is the first item on the planning calendar. Dr. Rush introduced Selena Grace of the Board staff to make the presentation.

Ms. Grace explained that the organizational overview was based on the Board's assigned roles and missions. The information included an overview of programs and missions, budget information, key services, and performance measure data. She noted that the performance measure information being presented and discussed at this time included the institutions and certain agencies. She noted that the Board's agenda materials included supplemental information for the agencies and programs not included in this formal presentation to the Board.

##### a. Boise State University

Board staff was directed to provide national comparison data related to graduation rates. Board member Hall noted the significant growth in concurrent enrollment and congratulated BSU in that effort. Board member Thilo congratulated BSU on freshman retention and for the Four-in-Four that BSU recently implemented. Dr. Kustra noted that the freshman retention rate is tied to the graduation rate. The graduation rates have increased as have the freshman retention rates. He explained that removing math barriers in higher education and dealing with those successfully will also make a difference in the retention rates.

Board member Westerberg observed that the performance measures used in the overall review are all outcome based. He suggested there be efficiency/financial efficiency performance measures as well. He asked that the performance measures be benchmarkable and relate to the very lowest level of the operating departments.

b. Idaho State University

In response to an inquiry about the unduplicated enrollments, Barbara Adamcik of Idaho State University explained that there was an error in the numbers presented. The correct numbers will be provided to the Board. Dr. Vailas noted that this exercise did not address the role and mission of the institutions or the various funding streams. He suggested that without that kind of detail, it is not possible for the Board to clearly understand what the funds were targeted for, how the funds were actually used, and whether or not the institution was successful in carrying out its role and mission at the local, regional, state, and national level. The Board members agreed this information is preliminary and that the intention is to get everyone on the same page. Board member Hall asked for comparison data on concurrent enrollments at ISU. ISU will follow up and make that information available.

c. University of Idaho

Stephen Daley-Laursen congratulated the Board on this effort and agreed it needs to be further refined. In terms of performance measures, the University of Idaho sees a big gap in what the state can provide and what the UI views as its vision. The UI has a long-range goal and recognizes it needs a wide variety of resources. Board member Hall raised a question about concurrent enrollments. Provost Baker noted that UI will forward actual numbers to the Board by the end of the day if possible. Board President Terrell asked the Board to consider how the Board looks at concurrent enrollments, specifically should it be in terms of regional or statewide enrollments. A general comment from the Board is to have headcount and credit hour enrollments provided.

d. Lewis-Clark State College

Dr. Dene Thomas noted LCSC has both academic and professional-technical programs. The institution does integrated planning and budgeting every year. Programs have to provide input on what they would do if funds were cut so that the individual programs are involved in those decisions from the very beginning should it be necessary to take such steps. Dr. Thomas indicated that the pass rates in many of their programs are at 100% and in those that aren't LCSC is looking how to make improvements. LCSC is working with over 40 high schools on dual credit and tech prep.

e. Eastern Idaho Technical College and Division of Professional-Technical Education

Ann Stephens of DPTE reported that the performance measures are tied to the Division's strategic plan and the quality goals of the Division. She noted that the placement rates at the secondary and postsecondary levels are good, but the Division is always looking to improve. In addition the Division wants to expand the delivery options at both the secondary and postsecondary level. One of the challenges this year is to more fully integrate the additional functions assumed by the Division this past year.

Scott Hamilton from Eastern Idaho Technical College reported that EITC's mission is workforce training, technical education, and outreach education. Outreach to rural communities is significant and includes health care education. They also provide other classes that enrich the lives of adults in those communities through adult education. He noted that the technical college leadership council members agreed there needs to be greater recognition by the Board

and the state for the role the technical colleges play in providing the skilled and technical education training so critical to the economic growth of the state.

Ms. Stephens reported that the Division plans to begin a new marketing campaign to raise the public awareness of parents and students about the value and the opportunities available to them in careers other than academic.

f. State Department of Education

State Superintendent Luna clarified that since December 2007, the Department has used the federal highly qualified teacher definition. He noted that 93% of Idaho teachers meet the highly qualified teacher definition. Mr. Luna distributed a handout describing the goals of the Department related to a high quality education system. He reviewed the information for the Board.

Board President Terrell raised a question about drop-out rates and what the Department is doing to concentrate or point more students toward professional-technical education. He suggested that the Department set a bar for students who are not or unable to go on to higher education. The normal education system is not set that way. Mr. Luna noted that the Department insists all students graduate with the education and preparation to succeed in what ever field they choose to pursue. He did agree that students may look at high school as nothing more than college-prep and the Department is working to change that perception.

g. Idaho School for the Deaf and the Blind

Mary Dunne reported that ISDB has joined a nationwide effort to undertake a research project related to outcome data collection. The School would like to increase postsecondary data collection in terms of teacher preparation for hearing and visually impaired students as well as making sure that the data is more meaningful. The School plans to increase opportunities for parents by hosting learning environments. Early childhood programs are underway in a number of school districts as well.

h. Idaho Public Television

Peter Morrill reported that IPTV would like to establish and fund a new History of Idaho initiative as well as to expand its legislative coverage, and to establish an Arts and Culture initiative to look at efforts around the state. IPTV is expanding into new media distribution and finding resources to do so. Also, it is progressing out of the analog world by shutting down the five analog transmitters. This will impact 35% of Idaho's viewing households. IPTV will be expanding its emergency alert function. Mr. Morrill reported that the Barbara Morgan program will air nationally on PBS in January. Lastly, Idaho's Assassination of the Century will be distributed nationwide in the next 4-5 months.

i. Division of Vocational Rehabilitation

There was no additional discussion of the Division of Vocational Rehabilitation report.

At the conclusion of the formal presentations the Board agreed that the development of more identifiable, benchmarkable, and accountability data would be helpful. Input needs to come from the Presidents' Council and the agency heads as to what should be added.

Executive Director Rush indicated that the next step in the planning calendar is the strategic plan. The performance measure information along with additional information and data will be instrumental in developing the revisions to the strategic plan. Dr. Rush indicated that the strategic plan is scheduled to be reviewed and adopted by the Board in December. He noted that this is an initial effort and it will develop more fully in the coming year.

## **OPEN FORUM**

Katherine Woodside of Lewiston addressed the Board related to Confucius Institutes which is publicized to teach Chinese language and its culture. She expressed concerns about the motives and teachings being offered at these institutes. She indicated they are based on the communist doctrines and culture of China. There is not an institute operating in Idaho at this time, but she cautioned the Board to be aware since there is one in Oregon and institutes are planned for Washington and Montana as well.

The following individuals addressed the Board to share perspectives on the issue of education for blind children in Idaho: (1) Ramona Walhof of the National Federation of the Blind of Idaho, (2) Elsie Lamp of the National Federation of the Blind of Idaho, (3) Jan Gawith speaking about the education of blind children, (4) Larry Dickerson speaking about the education of blind children, and (5) Gus Tropea speaking about the education of blind children. They supported involving members of the blind community in any decisions related to education for blind children. They discussed the need to have a separate system for blind children and suggested that the proposals being made to the Board as a result of the summit do not include input from their particular advocacy group. They asked the Board to be mindful that they want to help with the education of blind children and volunteered their services.

## **INSTRUCTION, RESEARCH, and STUDENT AFFAIRS – Tab 5**

### **5. Recommendations for the Education of Students who are Blind/Visually Impaired or Deaf/Hard-of-Hearing**

**M/S (Thilo/Edmunds): To create an Advisory Council that will be overseen by the Idaho State Board of Education and the Office of the State Board of Education.** Motion carried unanimously.

Board member Thilo noted the Advisory Council consists of 20 stakeholders and it is an important first step.

**M/S (Thilo/Edmunds): To direct the Transition Coordinator and the Idaho School for the Deaf and the Blind, with the advice of the Advisory Council, to develop a proposal for each of the summit recommendations for review by the SBOE.** Motion carried unanimously.

Board member Thilo clarified that seven recommendations came out of the summit. Each one will be thoroughly reviewed and analyzed. State Superintendent Luna asked the Board to give the Advisory Council parameters as to what it wants to accomplish. Board President Terrell suggested this is a starting point and as the recommendations are studied and come forward, the Board may need to involve other entities. Mr. Luna agreed to serve on the Advisory Council.

Executive Director Rush indicated that the process will likely bring forth recommendations of differing levels. As Board staff works on it, they will compile all of the recommendations with that approach in mind.

## **CONSENT AGENDA**

Board member Hall asked to have item 1 of the Consent agenda put on the regular agenda. State Superintendent Luna suggested that items 2 and 3 be put back on the regular agenda as well as they pertain to the same types of requests.

**M/S (Thilo/Agidius): To approve items 4, 5, and 6 of Consent Agenda as presented.**  
Motion carried unanimously.

### 4. BAHR – Section II – FY 2009 Sources and Uses Report

This is an information item.

### 5. IRSA – Quarterly Report – Program Changes Approved by Executive Director

This is an information item.

### 6. PPGAC – Alcohol Permits Issued by University Presidents

This is an information item.

## **AUDIT COMMITTEE**

### 1. Foundation Agreements for Boise State University, Idaho State University, and University of Idaho

**M/S (Thilo/Edmunds): To approve the Memorandum of Understanding between the Boise State University Foundation and Boise State University, and to recognize the Boise State University Foundation as an affiliated foundation to benefit Boise State University.**  
Motion carried unanimously.

**M/S (Thilo/Edmunds): To approve the Operating Agreement between the Idaho State University Foundation and Idaho State University, and to recognize the Idaho State University Foundation as an affiliated foundation to benefit Idaho State University.**  
Motion carried unanimously.

**M/S (Thilo/Agidius): To approve the Operating Agreement between the University of Idaho Foundation and University of Idaho, and to recognize the University of Idaho Foundation as an affiliated foundation to benefit University of Idaho.** Motion carried unanimously.

Board member Lewis joined the meeting by telephone at this time to report on the work of the Audit Committee related to the relationships of the foundations and the universities. He noted that the agreements are included in the Board materials. Mr. Lewis suggested that the Board continue to review the agreements and make changes as the Board sees the need.

With respect to this review, the Audit Committee tried to focus on the relationship of the actual staff members of the foundation and university employees. The Audit Committee took the view that the foundation director should not be a person who is a university employee. Likewise, university employees should not serve in an executive position on the foundation. In that regard the foundation executive should report directly to the foundation board and the power to hire and fire that person should rest with the foundation board. The person employed by the university in a fund raising position will report directly to the university. A separation of funds and a separation of access to funds shall also be maintained.

Mr. Lewis said another important point is that the foundation cannot accept any gift that requires a commitment of some sort on the part of the university or the Board until prior approval was given by the Board. Mr. Lewis noted the clear line of delineation between the foundation and the university is outlined in a Memorandum of Agreement.

## **PLANNING, POLICY, AND GOVERNMENTAL AFFAIRS**

### **1. Presidents' Council Report**

Dr. Dene Lewis reported to the Board on the Presidents' Council Retreat which was held September 12, 2008. The Presidents discussed articulation, credit transferability, and the ways in which issues should be addressed. There was agreement that sometimes communication is an issue. It was suggested that a form be developed to nail down the instances when there are problems and how they can be addressed. That form was developed and reviewed on October 8, 2008 at the Presidents Council meeting.

Board member Hall asked if the Presidents had looked at a uniform course numbering system. Dr. Thomas noted that the grid has been revived and there are just a couple of instances where there needs to be corrections or changes made. The Presidents agreed to revisit the uniform course numbering system annually so it doesn't fall into disuse or into the background.

Dr. Thomas reported that the Presidents also discussed the Idaho Digital Learning Academy in terms of the issues revolving around the course syllabus, qualifications of instructors, etc. It was reassigned to CAAP. It came up again at the October 8, 2008 meeting and the Presidents are looking at it very closely. It was agreed that the roles the different institutions play needs to be laid out more clearly.

Dr. Thomas also reported that the Presidents discussed peer institutions at their retreat. She noted that there was good historical information available for the Presidents to refer to from a report issued a number of years ago. There was agreement that data from peer institutions would be useful for all of the institutions, not just the four-year institutions. Dr. Vailas suggested that the metrics used in the peer comparison would be very useful in regards to the discussion earlier about performance measures. Executive Director Rush noted that the Presidents' Council approved adopting the metrics which would not require prior approval from the MGT. Board member Hall asked Executive Director Rush to find out what associated costs for a study would be.

Dr. Jerry Beck reported that at the Presidents' Council regular meeting on October 8, 2008 there was 100% attendance either in person or by phone. They received an oral report from a representative of the registrars that identified key components. A final report will be brought to the Board in December. Additional discussions are underway regarding a statewide transfer



system. The Presidents' Council will continue to work on these issues for the December Board meeting. Finally, a discussion with State Superintendent Luna took place.

## 2. Lewis-Clark State College Annual Report

Dr. Dene Thomas reported to the Board. She noted that LCSC's strategic plan draws from goals in the Board's strategic plan. Their plan is an annual, cyclical plan. The organization structure is aligned to the mission.

Dr. Thomas reported that LCSC's role and mission includes academic programs, professional-technical programs, and community programs. There will be an accreditation visit in 2009. LCSC has experienced record numbers in distance learning enrollments. It is also nationally ranked in every NAIA sport that it participates in. In terms of outreach, LCSC collaborates with many entities and has many good programs in place. Enrollment is up 46% since fall of 2000. LCSC has worked closely with small high schools to recruit students. The Nursing/Health Sciences Building is ahead of schedule and on budget. LCSC continues to provide Idaho taxpayers with an excellent return on every dollar spent on their programs and students.

## 3. Idaho State Historical Society Annual Report

Janet Gallimore reported to the Board. She discussed the planning goals of the ISHS and highlighted a number of accomplishments referring to the FY 2008 annual report. Plans and efforts to expand the State Historical Museum located in Boise are well underway. ISHS has statutory authority to preserve the state's history and the community grant program will help preserve statewide heritage. ISHS is looking at a number of ways to achieve critical financial assistance and has undertaken a survey to understand the needs of current customers and to help determine how best to serve them. ISHS is looking at fundraising strategies in order to fund a number of its activities and offerings. In this regard, partnerships have been critical.

## 4. Board Policy Section I.M. – Annual Planning and Reporting – Second Reading

**M/S (Hall/Agidius): To approve the second reading of the Idaho State Board of Education Governing Policies & Procedures, Section I.M.** Motion carried unanimously.

## 5. Board Policy Section III.P – Students – First Reading

**M/S (Hall/Thilo): To approve the first reading of the amendment to Board Policy III.P. 7., Definition of a Full-Time Student.** Motion carried unanimously.

## 6. 2009 Legislation Language

**M/S (Hall/Westerberg): To approve the legislation relating to proprietary school bonding, transfer of property, school district boundary change notification, and the Council for Technology in Learning as submitted, to direct the Executive Director to make revisions as necessary, and to continue with the Governor's legislative process.** Motion carried unanimously.

## **INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS**

### **1. Nursing Workforce Advisory Council Presentation**

B.J. Swanson, the Chair of the Advisory Council, and Cheryl Brush representing the Department of Labor were introduced to present a report on the status of nursing in Idaho. Representative Margaret Henbest joined the discussion by phone.

Ms. Brush thanked the Board for their support with this effort. Representative Henbest noted that there are many health care workforce issues statewide, but nursing trumps all of those needs in terms of magnitude and urgency. The costs, issues with quality of care, and patient impact make it critical to understand the regional variances and the needs statewide. Ms. Brush noted that the Council requested that the Department of Labor provide data related to need, numbers, and anticipated impact. Employment in health care will grow twice as fast as the overall economy the next few years. These figures exclude chronic vacancies. Capacity issues at the colleges make it impossible to admit as many students to the nursing programs as the state needs in the workforce.

Ms. Brush outlined the goals that the Nursing Workforce Advisory Council identified. The research related to nursing will be of great benefit, but other health care occupations are also facing critical shortages as well. It was noted that the aging population must be a top issue for Idaho because Idaho is not producing enough nurses to take care of the aging population. The Advisory Council asked for permission to access the social security numbers of Idaho graduates from Idaho nursing programs in order to track students to see where they choose to work. This kind of information will help determine how long students stay in nursing, where they go after graduation, and what the potential for future shortages may be.

Board members raised concerns about the request for social security numbers and wondered if another identifier could be used. Representative Henbest indicated that a student identifier would make it more difficult once the student is out of the system. Board member Thilo asked that this point be taken up at a later time.

Board member Edmunds asked about supply and demand. Ms. Brush indicated that the Department of Labor is planning to release those figures by the end of the month.

### **2. The item PULLED from the agenda**

### **3. Approval of Notice of Intent to Replace a master of Arts in English, English Education Degree with a Master of Arts in Teaching English Language Arts Degree – Boise State University**

**M/S (Thilo/Agidius): To approve the request by Boise State University to discontinue their M.A. in English, English Education and replace it with an M.A. in Teaching English Language Arts as presented. Motion carried unanimously.**

4. Approval of Notice of Intent to Suspend Admission to the Associates of Arts in Nursing Program – Boise State University

**M/S (Thilo/Agidius): To approve the request by Boise State University to suspend admissions into their Associate of Science Nursing program effective fall 2008.** Motion carried unanimously.

5. This item MOVED up in the agenda following the Open Forum.

**BUSINESS AFFAIRS AND HUMAN RESOURCES – Section I – Human Resources**

**The first three items were moved from the Consent Agenda for more careful review and consideration.**

1. BAHR – Section I – Boise State University – New Positions, Changes to Positions, Deletions of Positions (moved from Consent Agenda)

**M/S (Westerberg/Thilo): To approve the request by Boise State University for twenty (20) new positions (19.5 FTE); term, salary, and FTE change to one (1) position (1.0 FTE); and deletion of three (3) positions (3.0 FTE); supported by appropriated, nonappropriated, grant and local funding.** Motion carried 6-0-1 (Hall voted Nay, Luna absent during the vote).

There was discussion about this request in terms of the recent 1% holdback. Stacy Pearson noted that these positions are already in the budget. Several positions are reallocations and the funding is already there. She noted that BSU may delay filling the positions, but approval of the positions would allow BSU to move in the direction of their strategic initiatives.

2. BAHR – Section I – Idaho State University – New Positions (moved from Consent Agenda)

**M/S (Westerberg/Agidius): To approve the request by Idaho State University for five (5) new positions (4.5 FTE) supported by appropriated and local funding.** Motion carried 6-0-1 (Hall voted Nay, Luna absent during the vote).

Idaho State University reported it takes very seriously the current economic situation and has been putting controls into place to deal with the holdback and potential holdbacks.

3. BAHR– Section I – University of Idaho – New Positions and Reactivation of Positions (Moved from Consent Agenda)

**M/S (Westerberg/Thilo): To approve the request by the University of Idaho to establish five (5) new positions and reactivate two (2) positions supported by appropriated funds.** Motion carried unanimously.

Lloyd Mues presented the details of this item.

1. This item PULLED from Agenda

2. University of Idaho – Employment Contract – Co-Head Track and Field Coach

**M/S (Westerberg/Agidius): To approve the University of Idaho’s employment contract with co-head track and field coach Carla “Yogi” Teevens as submitted.** Motion carried unanimously.

**BUSINESS AFFAIRS AND HUMAN RESOURCES – Section II – Finance**

1. FY 2008 Carry-Over Funds

**M/S (Westerberg/Agidius): To approve the requests by Boise State University, Idaho State University, University of Idaho, Lewis-Clark State College, ISU Dental Education Program, ISU Museum of Natural History, UI Agricultural Research & Extension Service, UI WWAMI Medical Education Program, and Division of Professional-Technical Education, to carry over authorized but unspent funds in the amounts specified in the agenda materials from FY 2008 to FY 2009.** Motion carried unanimously.

2. Amendment to Board Policy – Sections V.I., Real and Personal Property and V.K., Construction Projects – First Reading

**M/S (Westerberg/Edmunds): To approve the first reading of the amendment to Board Policy V.I. – Real and Personal Property Services.** Motion carried unanimously.

Board member Westerberg drew the Board’s attention to the handout which is correct. The materials in the Board agenda had clerical errors.

**M/S (Westerberg/Thilo): To approve the first reading of the amendment to Board Policy V.K. - Construction Projects.** Motion carried unanimously.

3. Amendment to Board Policy – Section V.W., Litigation – Second Reading

**M/S (Westerberg/Agidius): To approve the second reading of Board Policy V.W. – Litigation.** Motion failed 5-3 (Terrell, Edmunds, and Westerberg voted Yes).

Board member Hall asked for the rationale in terms of increasing the level of authority of the Board’s Executive Director up to \$250,000. There was brief discussion about what amount might be reasonable. Board President Terrell asked the finance committee to look at this further and determine if it is even necessary to bring up again.

4. Proposed Amendment to Board Policy – Section V.R., Fees

**M/S (Westerberg/Thilo): To direct staff to bring forward an amendment to Board Policy V.R.3., adding differential fees.** Motion carried 5-3 (Hall, Lewis, and Luna voted nay).

There was discussion about the reasoning behind this request. It was noted that certain programs and courses have higher lab and operating costs such as the engineering program, health programs, business programs, and others. In order to be able to maintain the quality of those offerings it is necessary to charge a higher fee. The institutions explained that all increases would come to the Board for review and approval.

5. Boise State University – Park Center Boulevard Lease

**M/S (Westerberg/Agidius): To approve the request by Boise State University to enter into the submitted addendum to the lease with the Boise State University Foundation, Inc. for the building located at 220 Park Center Boulevard in Boise. Motion carried unanimously.**

6. University of Idaho – Lionel Hampton School Renovation

**M/S (Westerberg/Agidius): To approve the request by the University of Idaho to execute all necessary contracts in support of design for the renovations and expansion of the Music Building and for construction of renovations within the Recital Hall, for a total project budget of \$1,590,686. Motion carried unanimously.**

Board member Hall asked for clarification on the use of HUD funds. Lloyd Mues indicated that email correspondence and phone conversations have taken place.

7. University of Idaho – Nancy Cummings Research Center Project

**M/S (Westerberg/Agidius): To approve the request by the University of Idaho to increase the Capital Project Authorization for the Residential Facility, UI Nancy M. Cummings Research, Education & Extension Center, Salmon, Idaho from \$1,500,000 to \$2,213,410 to allow for the full implementation of the construction phase. Motion failed unanimously.**

Lloyd Mues presented this item. He introduced Dean John Hammel and Ray Pancroft, Director of Architectural Services at the University of Idaho to provide clarification. Mr. Pancroft explained that in the last two years, since the original bids, there have been great and unpredictable fluctuations in the construction industry. He noted that when UI came to the point of advertising the project in the spring of 2008, another round of value engineering and scope examinations were undertaken. He pointed out that the bid prices received were from six contractors and that they were very tightly grouped. UI is asking to pursue the project at that level since the bids have expired. It may have to go out to bid again and it may be the bids will be even lower this time. The Board suggested there be some change in the scope of this project.

8. University of Idaho – Status of Family and Graduate Student Housing and Potential Development Option

This information item has materials are in the agenda materials.

9. University of Idaho – Settlement Agreement 1

**M/S (Westerberg/Agidius): To approve the settlement and to authorize the Vice President of Finance of the University of Idaho to sign all necessary settlement documents. Motion carried unanimously.**

10. This item PULLED from the agenda

11. University of Idaho – Settlement Agreement 3

**M/S (Westerberg/Agidius): To approve the settlement and to authorize the Vice President of Finance of the University of Idaho to sign all necessary settlement documents.** Motion carried 4-1-1-0 (Hall voted Nay, Thilo abstained, Lewis was absent for the vote).

12. University of Idaho – Litigation Collection Action

**M/S (Westerberg/Agidius): To approve filing of the complaint discussed in executive session and authorize the General Counsel of the UI to sign the complaint and all other documents necessary for filing the complaint.** Motion carried unanimously

13. This item PULLED from the agenda

14. GEAR-UP Evaluation Contract

**M/S (Westerberg/Thilo): To direct the GEAR UP Staff, working with the Executive Director and Division of Purchasing, to develop and release a request for proposal leading to the award of a contract for evaluation services not to exceed \$173,300 per year.** Motion carried unanimously.

Executive Director Rush indicated that the maximum created in this motion is based on the experience of other GEAR-UP programs across the U.S.; it is at the low end. There was discussion about sending this out to an RFP. Dr. Rush noted that the dollar figure was included in order to give the Board a level of comfort.

15. Grant Application Approval – Millennium Fund

**M/S (Westerberg/Thilo): To approve the request by Family Medicine Residency Boise and Idaho State University Family Medicine Residency to apply for a Millennium Fund grant for the Clean Start project in the amount of \$810,000.** Motion carried unanimously.

16. College of Western Idaho – FY 2010 Budget Request – Occupancy Costs

**M/S (Westerberg/Agidius): To approve the Line Item for occupancy costs for the College of Western Idaho in the amount of \$976,300 and to forward the request to the Division of Financial Management and Legislative Services Office.** Motion carried 5-2 (Luna and Thilo voted nay).

Scott Christie of the Board office explained that this information was not available in August when the Board considered line items. There was discussion about occupancy costs and if BSU would be transferring funds to CWI along that line. It was noted that those funds were not appropriated dollars to BSU; they were paid for by student fees. As a result, those funds cannot be reallocated from BSU to CWI

## STATE DEPARTMENT OF EDUCATION AGENDA

### 1. State Superintendent's Report

State Superintendent Luna noted that the remarks he made earlier related to the eight-year plan were for the benefit of the Board.

### 2. This item PULLED from the agenda

### 3. Presentation of the FY 2010 Public School Budget Request

State Superintendent Luna presented this item. He noted the budget request had been submitted on September 1, 2008. Tim Hill of the Department of Education discussed the budget and briefly highlighted the portions that were based solely on growth. The intent at this time is to maintain current operations without enhancements. It was noted that sometime between now and the next legislative session, new numbers will be available and the Department will be prepared to rework the estimates. Mr. Luna said the final numbers for 2008 will be available in February. A copy of the budget that is ultimately submitted to the Legislature will be forwarded to the Board. The Board thanked Mr. Luna for providing this information to the Board.

### 4. Idaho Council for Technology in Learning "Connections 2007: A Statewide K-20 Plan for Technology in Idaho Public Schools and Higher Education Institutions" – Revised 2008

**M/S (Luna/Thilo): To approve "Connections 2007: A Statewide K-20 Plan for Technology in Idaho Public Schools and Higher Education Institutions" -- Revised 2008 as the statewide technology plan.** Motion carried unanimously.

### 5. Elementary Schools with Less than Ten Average Daily Attendance

There was brief discussion as to why this information is reported. Executive Director Rush noted that Idaho Code mandates that schools with less than ten students cannot receive funds. The Department is therefore required to submit a report to the Board to show that they have approved these schools.

### 6. Annual Report – Hardship Status for Albion Elementary School

**M/S (Edmunds/Westerberg): To approve the recommendation of Supt and ask that it be reported every five years.** (Motion withdrawn)

**Amended M/S (Edmunds/Westerberg): Amend to approve and no longer require Board involvement in this situation.** (Motion withdrawn)

The motions were withdrawn following brief discussion.

## OTHER BUSINESS

**M/S (Agidius/Edmunds): To adjourn the meeting at 6:40** Motion carried unanimously.